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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR01-101- RSL
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 JOHN CARLTON PETRUS,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on December 8, 2005. The United States was represented by AUSA Ye-Ting Woo and the
16 defendant by Jeffrey Smith. The proceedings were recorded on cassette tape.

17 Defendant had been sentenced on or about February 1, 2002 by the Honorable Robert S.
18 Lasnik on a charge of Conspiracy to Manufacture 50 Grams or More of Methamphetamine and
19 sentenced to 60 Months Custody, 5 years Supervised Release. (Dkt. 603).

20 The conditions of supervised release included requirements that defendant comply with all
21 local, state, and federal laws and with the standard conditions of supervision. Other special
22 conditions included no firearms, mandatory drug testing, narcotic addiction or drug dependency

01 treatment and testing, refrain from alcohol and other intoxicants, submit to search, and provide
02 access to financial information.

03 On September 27, 2005, the conditions of supervised release were modified to require
04 participation in a home confinement program with electronic monitoring for up to 60 days. (Dkt.
05 1126).

06 In an application dated October 27, 2005, U.S. Probation Officer Brian Facklam alleged
07 the following violation of the conditions of supervised release:

08 1. Committing the law violation of driving under the influence on September 12, 2005
09 in violation of the general condition that he not commit another federal, state or local crime.

10 2. Failing to report police contact within 72 hours of being arrested or questioned by
11 a law enforcement officer on September 12, 2005 in violation of standard condition 11.

12 3. Failing to appear for drug testing on September 26, October 7, and October 26,
13 2005 in violation of special condition 3 which orders that he participate in drug testing if ordered
14 to do so.

15 Defendant was advised in full as to those charges and as to his constitutional rights.

16 Defendant admitted each of the alleged violations and waived any evidentiary hearing as
17 to whether they occurred.

18 I therefore recommend the Court find defendant violated his supervised release as alleged
19 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
20 set before Judge Lasnik.

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01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 8th day of December, 2005.

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04 Mary Alice Theiler
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Robert S. Lasnik
08 AUSA: Ye-Ting Woo
09 Defendant's attorney: Jeffrey Smith
10 Probation officer: Brian Facklam
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